

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TENNESSEE**

JESSICA JONES, *et al.*,

Plaintiffs,

v.

BAIN CAPITAL PRIVATE EQUITY, *et al.*,

Defendants.

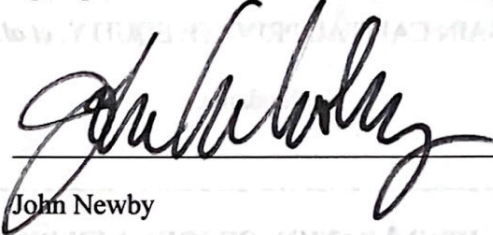
**Case No. 2:20-cv-02892**

**DECLARATION OF JOHN NEWBY IN SUPPORT OF VARSITY DEFENDANTS'  
RESPONSE TO PLAINTIFFS' MOTION TO COMPEL DISCOVERY**

I, John Newby, declare as follows:

1. I am over twenty-one (21) years of age, of sound mind, and competent to make this declaration. I make the following statements based upon my own personal knowledge of the facts stated herein.
2. I have served in various leadership roles at Varsity Spirit, LLC ("Varsity") for 30 years. My current position is Executive Vice President (EVP) and General Manager (GM) of Varsity All Star, a division of Varsity Spirit, LLC, which I have held for almost two years. I previously served as the EVP for Varsity All Star for more than six years, until the Fall of 2015. During the interim period, I served as President of Herff Jones, LLC, a subsidiary of Varsity Brands, LLC, and then, EVP of the Sponsorship, IMPACT, and VIP Branding division of Varsity Spirit.
3. Kevin Brubaker held various positions in Varsity Spirit's All Star division prior to his departure from the company in 2020. Prior to his departure from Varsity, Mr. Brubaker reported directly to Brian Elza and Tres LeTard.
4. Sheila Noone held various positions with Varsity Brands' Marketing & Communications team prior to her departure from the company in 2020. Prior to her departure from Varsity, Ms. Noone reported directly to Nicole Lauchaire.
5. Joshua Quintero held various positions in Varsity Spirit's All Star division prior to his departure from the company in 2020. Prior to his departure from Varsity, Mr. Quintero reported indirectly to Brian Elza and Tres LeTard.
6. Abeldeliz Rosa held various positions in Varsity Spirit's All Star division prior to his departure from the company in 2020. Prior to his departure from Varsity, Mr. Rosa reported indirectly to Brian Elza and Tres LeTard.

7. Marlene Cota held various positions related to corporate sponsorships within Varsity Spirit prior to January 9, 2018, when Varsity terminated her employment. Prior to her termination, Ms. Cota reported directly to me.
8. Varsity does not keep a written record of which of its employees, officers, or board members were members or served on boards or committee of NFHS, AACCA, ICU, USASF, or USA Cheer.
9. I declare under penalty of perjury that the foregoing is true and correct. Executed on April 1, 2022.



John Newby